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October 17, 2007

By Fax: 914-390-4085

Honorable Charles L. Brieant  
United States District Court  
Southern District of New York  
United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601-4150

Re: Monroe v. C.O. Jodoin, 07 CV 4100 (CLB)

Your Honor:

I am an Assistant Attorney General in the Office of Andrew M. Cuomo, Attorney General of the State of New York, assigned to the defense of this matter. I write to respectfully request an adjournment of the court conference currently scheduled for October 26, 2007 at 9:00 a.m. to a date that is convenient to the court, after such time as the defendant has answered or responded to the second amended complaint.<sup>1</sup>

Service of process was made on defendant Jodoin by waiver of service of summons. Pursuant to the waiver, defendant's response to the second amended complaint is due on November 26, 2007. Therefore, defendant respectfully requests an adjournment of the court conference on October 26, 2007.

An adjournment is also necessary to afford this office the opportunity to investigate the facts alleged in the second amended complaint, obtain the necessary documents, and prepare an appropriate response on behalf of the defendant. I note that by making this request on behalf of

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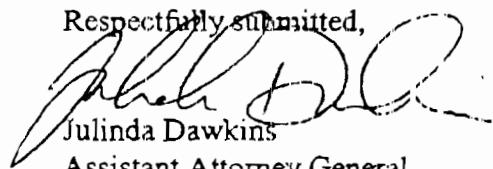
<sup>1</sup>Please note that plaintiff's counsel is not available on December 5, 2007 or December 6, 2007.

the defendant, I am not waiving any possible defenses that he may have, including the lack of personal jurisdiction.

Plaintiff's counsel, Michael R. Scolnick, has no objection to the defendant's first request for an adjournment of the conference currently scheduled for October 26, 2007 at 9:00 a.m.

I thank the Court for its consideration in this matter.

Respectfully submitted,



Julinda Dawkins  
Assistant Attorney General

cc: Michael R. Scolnick.  
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